

BRANCH BANKING AND TRUST )  
COMPANY, )  
 )  
Plaintiff, )  
 )  
vs. ) CIVIL ACTION NO. 10-0518-KD-N  
 )  
R & T RENTALS, LLC, et al., )  
 )  
Defendants. )

The Court has now reviewed the Chapter 11 Voluntary Petition wherein Bell filed individual bankruptcy stating that his debts are primarily business debts. (Doc. 1, p. 11, Bankruptcy Action No. 11-03673, United States Bankruptcy Court for the Southern District of Alabama.) Accordingly, this action is **STAYED** as to defendant **Bell** pursuant to 11 U.S.C. §

<sup>1</sup> Previously, on report of the mediator, the Court was informed that Bell “did not participate in the mediation because he is in bankruptcy”. (Doc. 49).

362(a) due to the pendency of the bankruptcy proceedings. **Bell** is **ORDERED** to file a status report on or before **January 3, 2012**, to advise the Court as to the status of the bankruptcy and the status of this litigation.

Defendants, F. Rutherford Smith and R & T Rentals, LLC, have been dismissed with prejudice. (Doc. 50). Therefore, since Bell is the only remaining defendant, the Clerk of the Court is **directed** to close this action for statistical purposes.

**DONE** and **ORDERED** this 17th day of October, 2011.

s / Kristi K DuBose  
**KRISTI K. DUBOSE**  
**UNITED STATES DISTRICT JUDGE**